

**TAB 2**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**BETTY BLACK, *on behalf of herself*  
*and all others similarly situated,***

***Plaintiffs,***

**v.**

**SETTLEPOU, P.C.,**

***Defendant.***

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**Civ. A. No. 3:10-cv-1418  
(Kinkeade, J.)**

**DECLARATION IN SUPPORT OF PLAINTIFF'S MOTION  
FOR ATTORNEY'S FEES AND COSTS**

I make the following declaration subject to the penalties for perjury:

1. My name is Yona Rozen. I am over the age of 18 years, of sound mind, and fully capable of making this affidavit. I am fully competent to testify to the matters stated in this affidavit, all of which is true, and of which I have personal knowledge.

2. I am a shareholder of GILLESPIE, ROZEN, & WATSKY, P.C. ("GRW"). GRW is a nine-lawyer firm practicing in Dallas, Texas, since 1990. GRW devotes its practice to labor and employment law. Although much of its work is in federal and state courts in Texas, GRW represents employees throughout the country, in cases involving national (or multi-state) class- and/or collective actions, and before the National Labor Relations Board.

3. I obtained a B.A. Degree with Honors in Political Science and History from Penn State University in 1974 and a J.D. Degree from the Vanderbilt University School of Law in Nashville, Tennessee in 1978. I was admitted to the Pennsylvania Bar in 1978 and to the Texas Bar in 1985. I am admitted to practice before the United States Supreme Court, United States Court of Appeals for the Fifth, Ninth, and Federal Circuits, the United States District Courts for

the Northern, Western, and Eastern Districts of Texas. In 1978, I was hired as a field attorney for Region 3 of the National Labor Relations Board (NLRB) and remained in that position for three years. I transferred to the position of staff attorney in the Division of Advice, at the NLRB Headquarters in 1981 and remained in that position for two years. I became an associate in the law firm of Hicks, Gillespie, James & Lesser, P.C in October, 1983 and approximately two years later became a shareholder in that firm.

4. In 1990 I became a shareholder in the firm that is now known as GILLESPIE, ROZEN, & WATSKY, P.C., with offices in Dallas, Texas. I obtained Board Certification in Labor Law (now known as Labor and Employment Law) in 1987. I have served as a member of the Executive Board of the State Bar of Texas Labor and Employment Section for several years and then as its Chair (1991-1992). I was inducted as a fellow of the College of Labor and Employment Lawyers in 2006. Throughout my legal career, my practice has predominantly involved labor and employment law since I became licensed in October 1978. I regularly write, lecture, and speak on labor and employment law issues. I have extensive civil litigation experience, with substantial experience with jury trials (over 10 as first chair), numerous bench trials, ALJ trials and hundreds of arbitrations. *Texas Monthly* and *Law & Politics* magazines have listed me as a "Super Lawyer" in Dallas (2003-2011), in 2011 in the same publications I was also listed as among the top 50 women lawyers in Texas, the top 100 lawyers in Texas and the top 100 lawyers in the Dallas-Ft. Worth area ("DFW"). In addition, I have been listed in "Best Lawyers in America" continuously since 1997.

5. In my experience and observation, it is customary for attorneys specializing in labor, employment, and civil rights litigation in DFW to work cases on a contingency basis, with a contingent amount between one third (33 1/3%) and forty percent (40%) of the recovery, in the

event of settlement or trial. I have reviewed the fee language of Ms. Black's agreement with GRW and believe that this contingent fee arrangement is reasonable and customary.

6. I am aware of the customary rates for attorneys of various skill levels specializing in the area of labor, employment, and other civil rights litigation in the Dallas-Fort Worth area. This knowledge stems both from cases in which my firm received a court-awarded attorney's fee and from my observations of other Dallas-Ft. Worth ("DFW")-area cases.

7. In addition, I have reviewed several surveys addressing the range of attorney's fees in DFW, including *National Law Journal* surveys in 2010 and 2011 and a 2010 *Texas Lawyer* survey. I am attaching relevant portions of these surveys as Exhibits A through C to this declaration. The 2010 *National Lawyer Journal* survey notes that non-equity partners in Dallas average \$452/hour, which was up 2.7% from the year before. Those same firms bill their 7th-year associates at an average rate of \$346/hour, which is 2.4% higher than the year before. Meanwhile, the *Texas Lawyer* survey reports the average billing rate for non-equity DFW partners was \$452/hour in 2010—a 2.7% gain over 2009—and \$346/hour for 7th-year associates—up 2.4% for the year. Even accounting for variables like firm size and practice area, I believe that the rates that GRW requests here are comfortably within this *average* range.

8. I believe that Mr. Gillespie's testimony that his reasonable rate is \$450/hour and Mr. Sanford's reasonable rate is \$375/hours is both reasonable and within the range of prevailing rates in DFW.

9. The requested rates are also consistent with and comparable to previous fee awards in the Northern District of Texas. As one example, the Honorable Jane Boyle awarded attorney's fees on July 27, 2010, in *Nassar v. UT Southwestern Med. Center*, No. 3:08-cv-1337-B, 2010 WL 3000877. There, the plaintiff supported his fee request with declarations from two

of his lawyers and sought an hourly rate of \$400/hour for the most junior associate, Mr. Walker, who was licensed in 2004. Judge Boyle eventually approved the requested rate for Mr. Walker. *See Nassar*, 2010 WL at \*5. From my review of Mr. Walker's resume,<sup>1</sup> I believe that Mr. Gillespie's and Mr. Sanford's skill level and expertise are at least equal to that of Mr. Walker's, if not greater.

10. In my opinion, the result obtained for Ms. Black in this case was very favorable, even accounting for the adverse retaliation verdict. In my experience, relatively few Fair Labor Standards Act ("FLSA") cases—both overtime claims and retaliation claims—proceed through trial and judgment. I have represented FLSA plaintiffs for several decades in this city and state, and my last FLSA-based trial was in 1988, in *Dalheim et al. v. KDFW-TV* (No. 3:85-cv-0894-D), in which the Fifth Circuit affirmed judgment in 1990. *See Dalheim, et al. v. KDFW-TV*, 918 F.2d 1220 (5th Cir. 1990). Likewise, I am aware of only a handful of FLSA cases—whether overtime or retaliation—cases tried through verdict in DFW over the last decade or more. These claims involve difficult issues of proof, requiring skill, expertise and determination over the life of a case—time during which, in a contingency case, the plaintiffs' attorneys constantly bear the risk of never being paid.

11. I would like to add two additional points about unappealing aspects of cases of this sort.

a. First, the defendant in this case is a local law firm. In my experience and observation, and from discussions with other local attorneys, I believe that few other firms would opt to represent a client suing her law-firm employer. For both reasons of collegiality and business, cases against a local member of the bar are unattractive. Among other reasons, firms

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<sup>1</sup> *See Nassar v. UT Southwestern Med. Center*, 3:08-cv-1337-B (N.D. Tex. Jun. 11, 2010)(Doc. 146-2).

like GRW meet a large share of its clientele through referrals from other law firms. By challenging a firm like SettlePou, P.C., GRW risks losing out on future referrals. GRW takes these cases because the FLSA—like many other worker-focused laws—relies on private enforcement to safeguard its important protections. But GRW's strong belief in robust enforcement of the law nonetheless comes at some cost.

b. Second, the reasonableness of GRW's request is further justified by the contingent-fee basis of GRW's representation agreement with Ms. Black. GRW accepted this case—like all full contingency cases—with no guarantee of being compensated for its work. In accepting contingency cases, we anticipate that we will work on some cases for several years without any payment, if we lose. Consequently, it is vital to our practice that we be able to anticipate recovering a full lodestar when GRW prevails. If GRW and firms like it could not expect to obtain a full-lodestar recovery when they prevail, these firms could not afford to accept and litigate FLSA and other employment cases. The result would be under-enforcement of critical labor and employment laws due to workers' inability to obtain counsel.

12. At Mr. Gillespie's request, I reviewed the time-keeping records submitted in support of this motion. Mr. Gillespie advised me that the fee request discounts (1) paralegal time, (2) Mr. Gillespie's time in conference with Mr. Sanford, (3) times spent pursuing the claims of opt-in plaintiff Renee Vasquez, (4) time spent on a motion to reopen the conditional-class opt-in period, (5) Mr. Sanford's time as a second attorney at mediation, (6) time spent on issues strictly related to the retaliation claims, and (7) a global 25% reduction to account for the split verdict. I believe that these deductions are reasonable and exhibit billing judgment. The remaining time entries appear reasonable and necessary based on my understanding of the issues in this case and the efforts necessary to pursue FLSA claims successfully through trial and judgment. A two-

attorney team reasonably can expect to log 500-750 hours over the course of a one or two plaintiff overtime case, starting with discovery and depositions, proceeding through trial, and on into post-verdict and post-judgment proceedings. I believe therefore that the 573.10 hours that GRW requests is reasonable and within the range necessary in cases of this sort.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed: February 3, 2012

  
Yona Rozen


# **Exhibit A**




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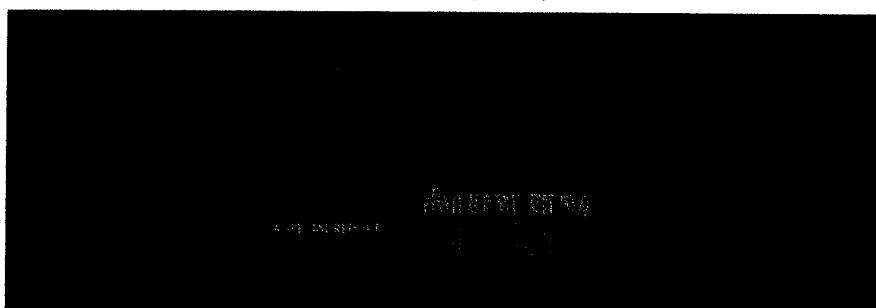
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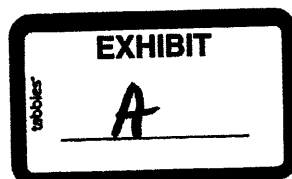


## A nationwide sampling of law firm billing rates

*The National Law Journal* asked the respondents to its 2010 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order. Non-NLJ 250 firms appear separately.

See also

- [Billing rates by associate class](#)
- [Methods of alternate billing](#)
- [Revenue generated by alternate billing](#)



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		<b>Number of attorneys</b>	<b>Average of firmwide billing rates</b>	<b>Median of firmwide billing rates</b>
Fox Rothschild	Philadelphia	472	\$407	\$415
Frost Brown Todd	Cincinnati	404	\$279	\$280
Gibbons	Newark, N.J.	223	\$404	\$410
Godfrey & Kahn	Milwaukee	172		
GrayRobinson	Orlando, Fla.	250		
Greenberg Traurig	New York	1,763	\$453	\$480
Harris Beach	Rochester, N.Y.	176		
Hiscock & Barclay	Syracuse, N.Y.	175	\$311	\$275
Hodgson Russ	Buffalo, N.Y.	197	\$328	\$320
Holland & Knight	Washington	942	\$418	\$425
Holme Roberts & Owen	Denver	192	\$355	\$345
Husch Blackwell	St. Louis	554	\$329	\$331
Jackson Kelly	Charleston, W.Va.	161		
Jackson Lewis	White Plains, N.Y.	661	\$364	\$300
Jones, Walker, Waechter,	New Orleans	302		
Kelley Drye & Warren	New York	325		
Kilpatrick Stockton	Atlanta	423	\$425	\$425
Knobbe, Martens, Olson & Bear	Irvine, Calif.	266	\$432	\$415
Lane Powell	Seattle	175	\$349	\$380
Lathrop & Gage	Kansas City	286		
Lindquist & Vennum	Minneapolis	184	\$330	\$350
Littler Mendelson	San Francisco	764	\$372	\$355
Locke Lord Bissell & Liddell	Dallas	642	\$486	\$515

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\$415	\$690	\$315	\$473	\$470	\$475	\$235
\$280	\$515	\$200	\$326	\$325	\$250	\$150
\$410	\$790	\$390	\$479	\$475	\$450	\$250
	\$495	\$325			\$340	\$180
	\$750	\$225			\$315	\$150
\$480	\$875	\$355	\$550	\$580	\$610	\$200
	\$500	\$275			\$250	\$140
\$275	\$650	\$195	\$348	\$305	\$440	\$150
\$320	\$665	\$230	\$374	\$370	\$410	\$175
\$425	\$850	\$300	\$499	\$495	\$480	\$185
\$345	\$635	\$285	\$415	\$410	\$530	\$170
\$331	\$804	\$230	\$357	\$375	\$415	\$171
	\$495	\$245			\$275	\$155
\$300	\$715	\$260	\$428	\$430	\$440	\$150
	\$620	\$195			\$275	\$140
	\$900	\$465			\$565	\$275
\$425	\$730	\$375	\$527	\$520	\$465	\$225
\$415	\$710	\$395	\$511	\$485	\$450	\$285
\$380	\$600	\$310	\$431	\$430	\$350	\$230
	\$490	\$255			\$265	\$180
\$350			\$415	\$410		
\$355	\$650	\$290	\$445	\$435	\$480	\$210
\$515	\$1,120	\$400	\$599	\$600	\$525	\$215

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\$473	\$470	\$475	\$235	\$298	\$290
\$326	\$325	\$250	\$150	\$189	\$190
\$479	\$475	\$450	\$250	\$289	\$275
		\$340	\$180		
		\$315	\$150		
\$550	\$580	\$610	\$200	\$332	\$350
		\$250	\$140		
\$348	\$305	\$440	\$150	\$234	\$195
\$374	\$370	\$410	\$175	\$238	\$230
\$499	\$495	\$480	\$185	\$288	\$280
\$415	\$410	\$530	\$170	\$295	\$285
\$357	\$375	\$415	\$171	\$220	\$205
		\$275	\$155		
\$428	\$430	\$440	\$150	\$282	\$275
		\$275	\$140		
		\$565	\$275		
\$527	\$520	\$465	\$225	\$320	\$320
\$511	\$485	\$450	\$285	\$332	\$335
\$431	\$430	\$350	\$230	\$278	\$275
		\$265	\$180		
\$415	\$410			\$235	\$230
\$445	\$435	\$480	\$210	\$296	\$285
\$599	\$600	\$525	\$215	\$320	\$300

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Schulte Roth & Zabel	New York	433		
Seyfarth Shaw	Chicago	704	\$377	\$375
Sheppard Mullin	Los Angeles	464		
Shumaker, Loop & Kendrick	Toledo, Ohio	210	\$331	\$350
Smith, Gambrell & Russell	Atlanta	175		
Snell & Wilmer	Phoenix	396	\$338	\$325
Stoel Rives	Portland, Ore.	368	\$381	\$395
Strasburger & Price	Dallas	181	\$336	\$351
Taft, Stettinius & Hollister	Cincinnati	286	\$315	\$315
Thompson Coburn	St. Louis	326		
Townsend and Townsend and	San Francisco, Calif.	177	\$320	\$290
Ulmer & Berne	Cleveland	177		
Vedder Price	Chicago	253	\$425	\$425
Venable	Washington	494	\$484	\$495
Williams Mullen	Richmond, Va.	300	\$368	\$340
Winstead	Dallas	264	\$395	
Winston & Strawn	Chicago	899	\$486	\$490
Womble Carlyle Sandridge & Rice	Winston Salem, N.C.	503	\$372	\$375
Wyatt, Tarrant & Combs	Louisville, Ky.	186		
Non-NLJ 250 Firms				
Brinks Hofer Gilson & Lione	Chicago	149	\$435	\$435
Fowler White Boggs	Tampa, Fla.	127	\$350	\$370
Lewis, Rice & Fingersh	St. Louis	157		

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	\$895	\$735			\$690	\$275
\$375	\$770	\$335	\$505	\$503	\$535	\$185
	\$820	\$495			\$620	\$270
\$350	\$540	\$250	\$366	\$365	\$315	\$185
	\$740	\$325			\$440	\$195
\$325	\$795	\$315	\$486	\$475	\$550	\$175
\$395	\$600	\$315	\$441	\$443	\$390	\$190
\$351	\$617	\$250	\$372	\$393	\$306	\$194
\$315	\$500	\$220	\$358	\$350	\$365	\$165
\$290	\$610	\$300			\$395	\$190
	\$750	\$470	\$563	\$550	\$460	\$260
	\$565	\$260			\$375	\$185
\$425	\$720	\$370	\$483	\$470	\$365	\$255
\$495	\$950	\$445	\$590	\$585	\$500	\$280
\$340	\$645	\$315	\$428	\$395	\$370	\$230
	\$655	\$340	\$462		\$390	\$215
\$490	\$1,075	\$475	\$670	\$660	\$610	\$250
\$375	\$625	\$300	\$461	\$465	\$445	\$210
	\$500	\$245			\$285	\$180
\$435	\$725	\$345	\$541	\$560	\$420	\$195
\$370	\$575	\$325	\$400	\$388	\$315	\$205
	\$460	\$260			\$315	\$150

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## The 2010 NLJ Billing Survey

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LAW.COM partners' billing rates	Median of partners' billing rates	Median of partners' billing rates	Median of partners' billing rates	Median of partners' billing rates	Median of partners' billing rates
\$505	\$503	\$590	\$275	\$325	\$320
\$366	\$365	\$620	\$185	\$246	\$235
\$486	\$475	\$315	\$185	\$282	\$265
\$441	\$443	\$440	\$195	\$270	\$265
\$372	\$393	\$550	\$175	\$243	\$245
\$358	\$350	\$390	\$190	\$227	\$225
		\$306	\$194		
		\$365	\$165		
\$563	\$550	\$395	\$190	\$345	\$325
\$483	\$470	\$460	\$260	\$326	\$325
\$590	\$585	\$375	\$185	\$353	\$330
\$428	\$395	\$500	\$280	\$279	\$280
\$462		\$370	\$230	\$291	\$375
\$670	\$660	\$390	\$215	\$393	\$285
\$461	\$465	\$610	\$250	\$291	
		\$445	\$210		
		\$285	\$180		
\$541	\$560	\$420	\$195	\$308	\$285
\$400	\$388	\$315	\$205	\$250	\$255
		\$315	\$150		

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# **Exhibit B**



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## HOURLY BILLING RATES

City and Firm Size	Equity Partner 2010	Equity Partner 2009	Percent Change	Non-Equity Partner 2010
<b>Survey Averages</b>	<b>\$397</b>	<b>\$391</b>	<b>1.5</b>	<b>\$359</b>
<b>CITY</b>				
Austin/San Antonio	\$392	\$386	1.6	\$353
Dallas/Fort Worth	\$484	\$476	1.7	\$452
Houston	\$410	\$405	1.2	\$327
Other	\$272	\$271	0.4	\$224
<b>Number of Lawyers</b>				
100+	\$561	\$545	2.9	\$498
50-99	\$361	\$358	0.8	\$272
30-49	\$335	\$334	0.3	\$296
Less than 30	\$360	\$356	1.1	\$290

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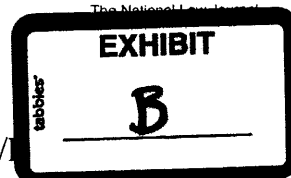
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## HOURLY BILLING RATES

Non-Equity Partner 2009	Percent Change	7th-Year Associate 2010	7th-Year Associate 2009	Percent Change	4th-Year Associate 2010
\$350	2.6	\$287	\$282	1.8	\$249
\$346	2	\$284	\$280	1.4	\$241
\$440	2.7	\$346	\$338	2.4	\$298
\$317	3.2	\$278	\$271	2.6	\$257
\$225	-0.4	\$190	\$190	0	\$167
\$486	2.5	\$395	\$382	3.4	\$339
\$266	2.3	\$245	\$245	0	\$226
\$293	1	\$231	\$228	1.3	\$203
\$278	4.3	\$276	\$271	1.8	\$234

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## HOURLY BILLING RATES

4th-Year Associate 2010	4th-Year Associate 2009	Percent Change	1st-Year Associate 2010	1st-Year Associate 2009	Percent Change
\$249	\$243	2.5	\$203	\$198	2.5
\$241	\$239	0.8	\$210	\$209	0.5
\$298	\$288	3.5	\$223	\$219	1.8
\$257	\$251	2.4	\$206	\$201	2.5
\$167	\$166	0.6	\$140	\$140	0
\$339	\$327	3.7	\$260	\$259	0.4
\$226	\$224	0.9	\$191	\$191	0
\$203	\$201	1	\$160	\$157	1.9
\$234	\$228	2.6	\$194	\$186	4.3

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## HOURLY BILLING RATES

1st-Year Associate 2009	Percent Change	Senior Legal Assistant 2010	Senior Legal Assistant 2009	Percent Change
\$198	2.5	\$141	\$139	1.4
\$209	0.5	\$141	\$139	1.4
\$219		\$172	\$171	0.6
\$201	2.5	\$145	\$141	2.8
\$140	0	\$87	\$90	-3.3
\$259	0.4	\$199	\$196	1.5
\$191	0	\$126	\$125	0.8
\$157	1.9	\$111	\$114	-2.6
\$186	4.3	\$125	\$121	3.3

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# **Exhibit C**

## BILLING SURVEY

# A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2011 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS	FIRMWIDE				PARTNERS				ASSOCIATES	
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN
Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, Tenn.	527	\$311	\$310	\$595	\$250	\$357	\$345	\$315	\$160	\$228	\$225
Best Best & Krieger	Riverside, Calif.	195	\$358	\$360	\$575	\$275	\$417	\$420	\$375	\$205	\$265	\$240
Briggs and Morgan	Minneapolis	185			\$625	\$325			\$305	\$230		
Broad and Cassel	Orlando, Fla.	160	\$377	\$350	\$575	\$295	\$435	\$395	\$350	\$180	\$265	\$265
Bryan Cave	St. Louis	908	\$475	\$460	\$795	\$375	\$565	\$553	\$540	\$200	\$356	\$360
Butzel Long	Detroit	176			\$700	\$325	\$440		\$425	\$225	\$274	
Carlton Fields	Tampa, Fla.	270	\$397	\$400	\$815	\$320	\$470	\$470	\$380	\$195	\$262	\$265
Cozen O'Connor	Philadelphia	504	\$439	\$410	\$900	\$305	\$510	\$490	\$550	\$225	\$330	\$330
Day Pitney	Parsippany, N.J.	324	\$447	\$450	\$960	\$380	\$537	\$525	\$470	\$235	\$317	\$315
Dickinson Wright	Detroit	229			\$600	\$325			\$320	\$200		
Dickstein Shapiro	Washington	335	\$580	\$550	\$1,000	\$540	\$680	\$670	\$545	\$225	\$435	\$465
Dinsmore & Shohl	Cincinnati	407	\$308	\$295	\$630	\$150	\$373	\$370	\$310	\$130	\$217	\$220
DLA Piper	New York	3,348	\$585	\$615	\$1,120	\$530	\$747	\$730	\$730	\$320	\$508	\$510
Dorsey & Whitney	Minneapolis	567	\$426	\$405	\$810	\$295	\$526	\$525	\$465	\$190	\$294	\$275
Duane Morris	Philadelphia	629	\$503	\$500	\$875	\$375	\$575	\$570	\$530	\$225	\$365	\$365
Dykema Gossett	Detroit	333	\$406	\$400	\$665	\$310	\$482	\$485	\$395	\$260	\$309	\$305
Epstein Becker & Green	New York	300	\$428	\$425	\$850	\$350	\$519	\$500	\$550	\$195	\$341	\$325
Fitzpatrick, Cella, Harper & Scinto	New York	168			\$730	\$460		\$525	\$440	\$275		\$325
Fox Rothschild	Philadelphia	450	\$413	\$420	\$725	\$325	\$486	\$483	\$455	\$190	\$297	\$295
Frost Brown Todd	Cincinnati	401	\$296	\$295	\$515	\$205	\$340	\$340	\$265	\$150	\$200	\$200
Gardere Wynne Sewell	Dallas	265	\$435	\$450	\$815	\$380	\$550	\$550	\$500	\$225	\$325	\$320
Gibbons	Newark, N.J.	199	\$505	\$450	\$725	\$400	\$563	\$505	\$475	\$285	\$380	\$320
Harris Beach	Rochester, N.Y.	176			\$390	\$275			\$260	\$160		
Hiscock & Barclay	Syracuse, N.Y.	174	\$269	\$240	\$750	\$195	\$304	\$265	\$350	\$150	\$207	\$195
Hodgson Russ	Buffalo, N.Y.	199			\$685	\$240	\$378	\$360	\$420	\$180	\$234	\$225
Holland & Knight	Washington	910	\$445	\$455	\$895	\$300	\$530	\$520	\$495	\$175	\$295	\$290
Hughes Hubbard & Reed	New York	300	\$633	\$615	\$990	\$625	\$828	\$800	\$695	\$270	\$533	\$540
Husch Blackwell	St. Louis	551	\$341	\$340	\$850	\$225	\$395	\$390	\$425	\$175	\$225	\$210
Jackson Kelly	Charleston, W.Va.	170	\$275	\$275	\$505	\$255	\$319	\$325	\$260	\$155	\$208	\$205
Kaye Scholer	New York	425	\$661	\$665	\$1,080	\$685	\$831	\$835	\$705	\$310	\$519	\$525
Kelley Drye & Warren	New York	321	\$474	\$400	\$925	\$480	\$634	\$645	\$595	\$275	\$425	\$420
Knobbe, Martens, Olson & Bear	Irvine, Calif.	268	\$439	\$415	\$735	\$415	\$525	\$500	\$495	\$295	\$346	\$345
Lane Powell	Seattle	180	\$405	\$425	\$645	\$340	\$460	\$450	\$360	\$225	\$295	\$285
Lathrop & Gage	Kansas City, Mo.	281	\$337	\$340	\$735	\$275	\$390	\$390	\$410	\$205	\$246	\$245
Lewis, Rice & Fingersh	St. Louis	162	\$275		\$470	\$270			\$320	\$150		
Lowenstein Sandler	Roseland, N.J.	249	\$478	\$480	\$895	\$435	\$613	\$595	\$660	\$250	\$400	\$390
Manatt, Phelps & Phillips	Los Angeles	322	\$602	\$620	\$850	\$540	\$676	\$670	\$550	\$215	\$464	\$500
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	272	\$245	\$275	\$575	\$295	\$350	\$375	\$325	\$185	\$250	\$235
McKenna Long & Aldridge	Atlanta	425	\$472	\$455	\$800	\$405	\$562	\$540	\$510	\$215	\$374	\$375
Michael Best & Friedrich	Milwaukee	208	\$321	\$310	\$650	\$245	\$413		\$310	\$205	\$241	
Miller & Martin	Chattanooga, Tenn.	184	\$313	\$325	\$610	\$240	\$369	\$375	\$275	\$185	\$215	\$215
Nelson Mullins Riley & Scarborough	Columbia, S.C.	399	\$318	\$310	\$850	\$220	\$412	\$400	\$350	\$170	\$255	\$250
Nexsen Pruet	Columbia, S.C.	178			\$550	\$235			\$265	\$170		

SEE SAMPLING, PAGE 13

## BILLING SURVEY

SAMPLING, FROM PAGE 12

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE FULL-TIME EQUIVALENT ATTORNEYS*	FIRMWIDE		PARTNER			ASSOCIATE		
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW
Patton Boggs	Washington	512	\$546	\$540	\$990	\$410	\$659	\$645	\$570	\$240
Pepper Hamilton	Philadelphia	459			\$825	\$380	\$557		\$460	\$235
Perkins Coie	Seattle	693	\$462		\$875	\$285	\$550	\$545	\$590	\$215
Phelps Dunbar	New Orleans	280	\$236	\$225	\$465	\$190	\$281	\$275	\$245	\$150
Pokinelli Shugart	Kansas City, Mo.	466			\$630	\$275			\$335	\$205
Saul Ewing	Philadelphia	220	\$431	\$450	\$750	\$350	\$502	\$490	\$495	\$245
Schulke Roth & Zabel	New York	486	\$615	\$630	\$935	\$770	\$846	\$840	\$675	\$285
Seyfarth Shaw	Chicago	762	\$437	\$425	\$750	\$355	\$528	\$525	\$505	\$225
Sheppard, Mullin, Richter & Hampton	Los Angeles	465			\$860	\$505			\$435	\$275
Slammaker, Loop & Kendrick	Toledo, Ohio	208	\$345	\$365	\$555	\$265	\$364	\$375	\$320	\$195
Stoel Rives	Purdland, Ore.	373	\$385	\$395	\$625	\$320	\$451	\$450	\$400	\$195
Strasburger & Price	Dallas	181	\$363	\$362	\$630	\$211	\$395	\$397	\$332	\$185
Thompson & Knight	Dallas	319	\$520	\$520	\$875	\$440	\$594	\$585	\$460	\$250
Thompson Coburn	St. Louis	325			\$750	\$315			\$445	\$195
Uraer & Berne	Cleveland	179	\$316		\$585	\$280	\$405		\$390	\$200
Vedder Price	Chicago	246	\$445	\$445	\$735	\$295	\$580	\$450	\$520	\$265
Winstead	Dallas	265	\$406		\$680	\$365	\$477		\$410	\$215
Winston & Strawn	Chicago	368	\$557	\$550	\$1,130	\$580	\$713	\$700	\$600	\$350
Wyatt, Tarrant & Combs	Louisville, Ky.	181	\$312	\$359	\$500	\$240	\$325	\$375	\$275	\$180

\* Attorneys numbers are from NLE 255 published in April 2011.

# Firms report their billing rates by associate class

Below is a sampling of hourly rates charged by law firms that establish billing rates based on associate class.

Firms that supplied this information are listed in alphabetical order.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	AVERAGE FTE ATTORNEYS*	1ST YEAR	2D YEAR	3D YEAR	4TH YEAR	5TH YEAR	6TH YEAR	7TH YEAR	8TH YEAR
Bryan Cave	St. Louis	908	\$200-\$365	\$200-\$355	\$250-\$385	\$225-\$420	\$300-\$430	\$335-\$455	\$280-\$485	\$350-\$510
Butzel Long	Detroit	176	\$225							
Carlton Fields	Tampa, Fla.	270	\$195-\$210	\$210-\$225	\$210-\$225	\$225-\$240	\$250-\$265	\$255-\$315	\$275-\$365	\$300-\$380
Cozen O'Connor	Philadelphia	504	\$225-\$290	\$225-\$290	\$235-\$320	\$245-\$360	\$245-\$340	\$265-\$350	\$285-\$380	\$290-\$395
Day Pitney	Parlisspany, N.J.	324	\$244	\$275	\$295	\$291	\$301	\$335	\$360	\$351
Dickinson Wright	Detroit	229	\$195	\$205	\$210	\$220	\$235	\$245	\$255	\$265
Dickstein Shapiro	Washington	335	\$225-\$290	\$275-\$385	\$330-\$440	\$345-\$465	\$360-\$490	\$390-\$510	\$425-\$530	\$435-\$545
Dinsmore & Shohl	Cincinnati	407	\$185	\$195	\$210	\$225	\$235	\$245	\$255	\$265
DLA Piper	New York	3,348	\$345	\$395	\$455	\$520	\$580	\$620	\$650	\$675
Dorsey & Whitney	Minneapolis	567	\$238	\$253	\$260	\$297	\$305	\$336	\$370	
Duane Morris	Philadelphia	629	\$280	\$305	\$320	\$335	\$350	\$370	\$380	\$420
Fitzpatrick, Cella, Harper & Scinto	New York	168	\$275	\$300	\$325	\$350	\$370	\$385	\$405	\$420
Fox Rothschild	Philadelphia	450	\$220-\$235	\$230-\$265	\$240-\$285	\$240-\$285	\$245-\$300	\$270-\$455	\$190-\$410	\$260-\$425
Frost Brown Todd	Cincinnati	401	\$150	\$165-\$185	\$175-\$185	\$180-\$235	\$190-\$230	\$190-\$240	\$185-\$260	\$200-\$265
Gardere Wynne Sewell	Dallas	265	\$225	\$260	\$290	\$320	\$350	\$370	\$385	\$400
Harris Beach	Rochester, N.Y.	176	\$160	\$175	\$200	\$215	\$215	\$235	\$235	\$260
Hiscock & Barclay	Syracuse, N.Y.	174	\$175	\$175	\$195	\$195	\$205	\$205	\$205	\$220
Hughes Hubbard & Reed	New York	300	\$350	\$450	\$510	\$540	\$570	\$600	\$615	\$630
Jackson Kelly	Charleston, W.Va.	170	\$180	\$195	\$205	\$215	\$225	\$240		
Kaye Scholer	New York	425	\$320	\$410	\$475	\$525	\$570	\$595	\$620	\$640
Kelley Drye & Warren	New York	321	\$305	\$305	\$350	\$380	\$420	\$450	\$470	\$500
Knobbe, Martens, Olson & Bear	Irvine, Calif.	268	\$295	\$320	\$345	\$370	\$395			
Lane Powell	Seattle	180	\$250	\$260	\$280-\$340	\$280-\$305	\$260-\$325	\$265-\$340	\$305-\$330	\$300-\$360
Lathrop & Gage	Kansas City, Mo.	281	\$205	\$210	\$220	\$230	\$250	\$255	\$270	\$280
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	272	\$185	\$195	\$215	\$225	\$235	\$250	\$265	\$275
McKenna Long & Aldridge	Atlanta	425	\$275	\$280	\$317	\$346	\$354	\$371	\$386	\$408
Michael Best & Friedrich	Milwaukee	208	\$210	\$205-\$230	\$210-\$250	\$220-\$300	\$225-\$260	\$240-\$295	\$220-\$265	\$230-\$305
Nelson Mullins Riley & Scarborough	Columbia, S.C.	399	\$170-\$265	\$210-\$345	\$215-\$295	\$225-\$325	\$195-\$335	\$205-\$350	\$245-\$325	\$255-\$270
Patton Boggs	Washington	512	\$300	\$325	\$355	\$385	\$415	\$445	\$465	\$490
Perkins Coie	Seattle	693	\$264	\$273	\$284	\$291	\$321	\$337	\$359	\$378
Saul Ewing	Philadelphia	220		\$245-\$255	\$250-\$280	\$275-\$300	\$275-\$340	\$275-\$310	\$295-\$325	\$320-\$450
Schulte Roth & Zabel	New York	406	\$285-\$390	\$465	\$515	\$560	\$580	\$605	\$630	\$650
Sheppard, Mullin, Richter & Hampton	Los Angeles	465	\$275-\$340	\$340-\$440	\$380-\$490	\$410-\$525	\$435-\$555	\$460-\$580	\$485-\$610	\$505-\$635
Shumaker, Loop & Kendrick	Toledo, Ohio	208	\$205							
Strasburger & Price	Dallas	181	\$221	\$234	\$221	\$238	\$258	\$259	\$284	\$275
Thompson & Knight	Dallas	319	\$250-\$280	\$315	\$350	\$385	\$405	\$425	\$445	\$460
Vedder Price	Chicago	246	\$255	\$265	\$280	\$300	\$320	\$335	\$355	\$370
Winstead	Dallas	265	\$215	\$215	\$240	\$260	\$290	\$315	\$335	\$360
Winston & Strawn	Chicago	868	\$350	\$375	\$400	\$435	\$470	\$500	\$525	\$550
Wyatt, Tarrant & Combs	Louisville, Ky.	181	\$180							

\* Full-time equivalent attorney numbers are from NLJ 250 published in April 2011.